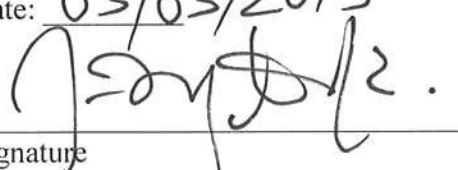


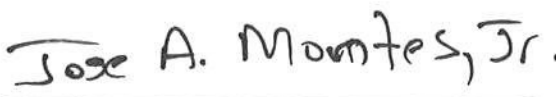
EXHIBIT 1:

DECLARATION OF JOSE MONTES, JR.

- responsible for checking in and out all vehicles entering or exiting the work site on the vehicle log provided by Defendants.
6. A true and correct copy of a job description I received during my employment is attached hereto as Attachment A. Defendants set gate guards/security officers' work hours and work locations, including mine. Defendants train gate guards/security officers in safety and in Defendants' "accepted practices in field/ranch security procedures." Defendants supervise gate guards/security officers on a regular basis and are specifically required to meet, preferably weekly, with gate guards/security officers "to evaluate performance." Defendants also "prepare payroll" for gate guards/security officers and are permitted to immediately terminate gate guards/security officers whose "behavior and/or performance justifies such action." (*See* Attachment A). Defendants require gate guards/security officers to wear a company uniform.
 7. Defendants supply gate guards/security officers with a generator, 200 gallon water tank, and septic. Defendants refill gate guards/security officers' water and fuel once a week. Defendants are also responsible for maintenance of all equipment. (*See* Attachment A).
 8. A true and correct copy of a gate guard/security officer schedule for the week of July 14, 2014 is attached hereto as Attachment B. On this schedule, many gate guards/security officers are scheduled to work at least four or five twelve-hour shifts. They were not paid overtime for the hours they worked over forty. The schedule attached as Attachment B is a representative schedule; numerous other schedules also depict gate guards/security officers scheduled to work at least four or five twelve-hour shifts per week.
 9. A true and correct redacted copy of a gate guard/security officer independent contractor application is attached here as Attachment C. In relevant part, the application requires that applicants for the "gate guard" position check a box which states, "Please check if you understand this is a 1099 contact [sic] position." (*See* Attachment C, page 2).
 10. I am seeking to recover unpaid overtime pay from Defendants, and am seeking to have the Court authorize the plaintiffs to send notice to other gate guards/security officers who were classified by Defendants as independent contractors exempt from the overtime laws. I strongly suspect that many of the other gate guards/security officers for Defendants would also be interested in joining this lawsuit if they received notice and were given an opportunity to participate.

I declare under penalty of perjury that the foregoing is true and correct.

Date: 03/03/2015

Signature


Full Legal Name (Print)